

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Stern & Eisenberg, PC  
1040 N. Kings Highway, Suite 407,  
Cherry Hill, New Jersey 08034  
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FACSIMILE: (856) 667-1456  
(COUNSEL FOR MOVANT)

In Re:  
Mark Edward Danyo  
Debtor  
Ellen Danyo  
Non-Filing Co-Debtor

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Quicken Loans Inc.  
Creditor/Movant

v.  
Albert Russo  
(Respondents)



Order Filed on December 19, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case Number: 19-12380-CMG

Chapter: 13

Judge: Christine M. Gravelle

ORDER APPROVING STIPULATION/CONDITIONAL ORDER SETTLING THE MOTION FOR  
RELIEF FROM THE AUTOMATIC STAY

The relief set forth on the following pages, numbered two (2) through (3) is  
hereby **ORDERED**.

DATED: December 19, 2019

A handwritten signature in black ink, reading "Christine M. Gravelle".

Honorable Christine M. Gravelle  
United States Bankruptcy Judge

(page 2)

Debtor: Mark Edward Danyo

Case Number: 19-12380-CMG

Caption of Order: Order Approving Stipulation/Conditional Order Settling the Motion for Relief from the Automatic Stay

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Upon the Motion of Quicken Loans Inc. (Creditor) through its Counsel Stern & Eisenberg PC, attorneys for secured creditor, under Bankruptcy Code (section 362(d), et al.) for relief from the automatic stay as to certain property, 309 Wayne Avenue, Pine Beach, NJ 08741 ("Property"), and the entry of the Order settling the Motion for Relief and for cause shown, it is hereby ORDERED and DECREED as follows:

1. As of November 21, 2019, Mark Edward Danyo ("Debtor") acknowledges that Debtor is due for the following post-petition regular monthly payments from October 1, 2019 through November 1, 2019, as follows:
  - a. Monthly payments total (\$2,019.83/month)..... \$4,039.66
  - b. Post-petition suspense balance:.....(\$1,628.83)
  - c. Attorney Fees:.....\$631.00
  - d. Total arrear as of date of Order..... \$3,041.83
2. Debtor shall cure the Arrear as set forth above by paying \$506.97 of the Arrear per month for the next **five (5)** months together with the regular monthly mortgage payment (currently \$2,019.83/month) for a total monthly payment of **\$2,526.80** for the **next five (5) months** beginning on **December 1 2019 through April 1, 2020**; then, \$506.98 of the Arrear per month for **one (1)** month together with the regular monthly mortgage payment (currently \$2,019.83/month) for a total monthly payment of **\$2,526.81** for the next **one (1) month** on **May 1, 2020**. In the event the regular monthly payment changes for any reason, then the amount due pursuant to paragraph 2 shall be adjusted accordingly. Thereafter, Debtor agrees to continue making the regular monthly mortgage payment.
3. Payments due in accordance with this Order shall be due on or before the 1<sup>st</sup> day of each month.
4. Debtor shall make the regular monthly payments required to the Trustee.
5. All payments due to the Creditor from the Debtor are to be made directly to Quicken Loans Inc. and making sure that Creditor's loan number appears on all payments.
6. In the event that Movant alleges that Debtor has failed to comply with obligations under paragraph 3 & 5 of this Consent Order/Stipulation, Quicken Loans Inc. and/or Counsel may give Debtor and Debtor's counsel notice of the default and if such default is not cured within ten (10) days of said notice, upon certification to the court of such default, and request for Order, with a copy to Debtor's and Debtor's counsel, the Court may grant Quicken Loans Inc. immediate relief from the bankruptcy stay. Debtors shall pay \$75.00 for each notice of default issued by Movant as a result of the Debtors' failure to comply with this Consent Order/Stipulation.

(page 3)

Debtor: Mark Edward Danyo

Case Number: 19-12380-CMG

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7. The failure by the Creditor, at any time, to file a Certification of Default upon default by the Debtor shall not be construed, nor shall such failure act, as a waiver of any of Creditor's rights hereunder.
8. Upon issuance of the aforesaid Order, the parties hereto further agree that Quicken Loans Inc. may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation of and continuation of foreclosure and execution process through sheriff's sale concerning the Property and ejectment thereafter.
9. In the event Debtor converts to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtor shall pay all pre-petition arrears and post-petition arrears within 10 days from the date the case is converted. If Debtor fails to make payments in accordance with this paragraph then the Creditor, through Counsel, may file a certification setting forth said failure and the Creditor shall be granted immediate relief from the automatic stay and may also request entry of the form Relief Order.

  
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WILLIAM H. OLIVER, JR., ESQ.  
COUNSEL FOR DEBTOR

/s/ Christopher M. McMonagle  
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CHRISTOPHER M. MCMONAGLE, ESQ.  
STERN & EISENBERG, PC  
ATTORNEY FOR CREDITOR

Certificate of Notice Page 4 of 4

United States Bankruptcy Court  
District of New Jersey

In re:  
Mark Edward Danyo  
Debtor

Case No. 19-12380-CMG  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Dec 20, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 22, 2019.

db +Mark Edward Danyo, 309 Wayne Avenue, Pine Beach, NJ 08741-1548

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 22, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 20, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Christopher M. McMonagle on behalf of Creditor QUICKEN LOANS INC.  
cmcmonagle@sterneisenberg.com, bkecf@sterneisenberg.com  
Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Rebecca Ann Solarz on behalf of Creditor Toyota Motor Credit Corporation  
rsolarz@kmlawgroup.com  
Steven P. Kelly on behalf of Creditor QUICKEN LOANS INC. skelly@sterneisenberg.com,  
bkecf@sterneisenberg.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov  
William H. Oliver, Jr. on behalf of Debtor Mark Edward Danyo bkwoliver@aol.com,  
R59915@notify.bestcase.com

TOTAL: 7